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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/765,073	01/28/2004	Angel Cercos	200300571-1	2320

22879 7590 11/23/2005

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EXAMINER

COLILLA, DANIEL JAMES

ART UNIT	PAPER NUMBER
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2854

DATE MAILED: 11/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/765,073	CERCOS ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Daniel J. Colilla	2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-5,8,9,12 and 14-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8,9,12,15,16 and 18-26 is/are allowed.
- 6) ☒ Claim(s) 1-5 and 17 is/are rejected.
- 7) ☒ Claim(s) 14 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 July 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                            | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Munakata et al. (US 6,217,143) in view of Otsuka (JP 2003-231331).

With respect to claims, 1, Munakata et al. discloses the claimed arrangement except for driving the first roller member with different drive parameters as a leading edge of said print media passes through the print zone. Munakata et al. discloses a first roller member 1, a second roller member 3 and a drive device 6 arranged to drive the first and second roller members as shown in Figure 1 of Munakata et al. The first and second roller members 1 and 3 are each inherently driven with first and second respective drive parameters. Otsuka teaches an arrangement in which the printing speed is adjusted according to the changes in the power supply. The printing sheet is driven by a first roller member 30. Figure 7 of Otsuka shows that the printing speed is at a maximum (a beginning drive parameter) when printing is initiated and continues to descend until a minimum velocity is reached (see paragraph [0048] of the machine translation of Otsuka). Thus Otsuka teaches an arrangement that is capable of adjusting the speed to a different parameter as the leading edge of the print media passes the passes through the print zone. It would have been obvious to combine the teaching of Otsuka with the arrangement disclosed by Munakata et al. for the advantage of suppressing the increasing tin the capacity of a power supply (Otsuka, abstract).

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With respect to claim 2, the combination as mentioned above teach that the drive parameters include a speed of the respective roller members during print media advance movements.

With respect to claim 3, since speed is a drive parameter, then it inherently follows that the amount of rotation or the respective roller member is a drive parameter since the speed is a function of an amount of rotation per time.

With respect to claim 4, similar to claim 3, since speed is drive parameter, traction of each roller member is a drive parameter since traction is force based on acceleration of the roller which is based on the speed of the roller.

With respect to claim 5, Figure 7 of Otsuka shows that the drive parameters are changed gradually.

With respect to claim 17, in addition to the above structure mentioned in the prior art rejection of claim 1, Munakata et al. discloses a hardcopy device including a means for moving a print media (the rollers as mentioned above) past a printhead 13. As mentioned above, Otsuka teaches a hardcopy device that is capable of adjusting the speed to a different parameter as the leading edge of the print media passes the passes through the print zone. Furthermore, the combination of Otuska and Munakata et al. teach a hardcopy device that is capable of having different drive parameters when the print media extends fully between the roller members. It would have been obvious to combine the teaching of Otsuka with the arrangement disclosed by Munakata et al. for the advantage of suppressing the increasing tin the capacity of a power supply (Otuska, abstract).

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***Allowable Subject Matter***

3. Claims 8-9, 12, 15-16 and 18-26 are allowed.
4. Claim 14 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel J. Colilla whose telephone number is 571-272-2157. The examiner can normally be reached on M-F 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on 571-272-2168. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

November 23, 2005

  
Daniel J. Colilla  
Primary Examiner  
Art Unit 2854